

~~Permits~~

File 815. 4

EPA File Symbol 1489-U. Nutro Dog Food Co., 1907 N. Chico Ave., El Monte CA 91733. MACKALL'S TOPS ALL BRAND CAGE AND AVIARY SPRAY. Active Ingredients: Refined Petroleum 99.55%; Pyrethrins 0.05%; Technical Piperonyl Butoxide 0.40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9556-RO. Ortex Products Inc., 560 Ferry St., Newark NJ 07105. ORTEX NEW FIRE RESISTANT STABILIZED CHLORINE GRANULAR 56. Active Ingredients: Sodium Dichloro-s-triazinetrione dihydrate 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 478-IT. Realex Corp., 2500 Summit, Box 78, Kansas City MO 64141. REAL-KILL INDOOR BUG ELIMINATOR. Active Ingredients: d-trans allethrin (allyl homolog of Cinerin I) 0.250%; (5-Benzyl-3-furyl) methyl-2, 2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.250%; Related compounds 0.034%; Petroleum distillate 14.120%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11547-EE. Share Corp., PO Box 9, Brookfield WI 53005. SHARE CORP. SURFACE INSECTICIDE. Active Ingredients: Petroleum distillate 99.187%; O,O-diethyl O-(2-isopropyl-4-methyl-6-pyrimidinyl)phosphorothioate 0.500%; Piperonyl Butoxide Technical 0.261%; Pyrethrins 0.052%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6720-RUL. Southern Mill Creek Products Co., Inc., PO Box 1096, Tampa, FL 33601. SMCOP DUREBAN 1E INSECTICIDE. Active Ingredients: Chlorpyrifos (O,O-diethyl O-(3,5,6-trichloro-2-pyridyl)phosphorothioate) 12.9%; Aromatic petroleum derivative solvent 78.9%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 4887-84. Stephenson Chemical Co., Inc., PO Box 87188, College Park GA 30337. STEPHENSON CHEMICALS DK-11 EMULSIFIABLE CONCENTRATE. Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 11.11%; Related Compounds 0.84%; Ronnel (O,O-dimethyl O-(2,4,5-trichlorophenyl phosphorothioate) 12.00%; Tetrachloroethylene 5.00%; Xylene 59.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 148-125. Thompson-Hayward Chemical Co., PO Box 2383, Kansas City KA 66110. T-H PYRTOX CONTACT SPRAY. Active Ingredients: Pyrethrins 0.15%; Technical piperonyl butoxide 1.50%; Petroleum distillate 98.35%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 148-265. Thompson-Hayward Chemical Co., PO Box 2383, Kansas City KA 66110. T-H MALATHION PREMIUM GRADE MALATHION E-5. Active Ingredients: Malathion 57.0%; Xylene 32.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1386-124. Universal Cooperatives, Inc., 111 Glamorgan St., Alliance OH 44601. UNICO MALATHION-5 EMULSIFIABLE CONCENTRATE. Active Ingredients: Malathion 57.0%; Xylene 36.0%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: August 31, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-20690 Filed 9-9-74; 8:45 am]

[OPP-00004; FRL 263-1]

JUDGMENT UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Availability of Notices of Judgment

Pursuant to section 16(d) of the Federal Insecticide Fungicide and Rodenticide Act (FIFRA), as amended (86 Stat. 994), the Environmental Protection Agency is required to give notice by publication of all judgments in actions instituted under the Act.

The purpose of this publication is to make available to the public the results of court decisions and civil penalty proceedings involving pesticide products. Notices of Judgment Under the Federal Insecticide, Fungicide, and Rodenticide Act report cases involving seizure actions taken against products alleged to be in violation, and criminal and civil actions taken against firms or individuals charged with violations. The Notices of Judgment contain the following information; the responsible party, specific violations, dates of legal action, and the penalty imposed on the violator.

Copies of Notices of Judgment are available to government agencies and to the public from:

U.S. Environmental Protection Agency, Pesticides Enforcement Division (EG-342), 401 M Street SW., Washington, D.C. 20460.

Dated: September 5, 1974.

ALAN G. KIRK II,
Assistant Administrator for
Enforcement and General Counsel.

[FR Doc.74-20862 Filed 9-9-74; 8:45 am]

[OPP-66009; FRL 262-5]

PESTICIDES

Intent To Cancel Certain Registrations

Pursuant to section 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 984), the Environmental Protection Agency (EPA) has notified the following registrants of its intent to cancel the registrations of the pesticide products listed:

EPA Reg. No. 4-45. Bonide Chemical Co., Utica NY 13502. BONIDE CRO-TOX REPELLENT. Reasons: Lack of product efficacy data; labeling and directions not in compliance with the FIFRA.

EPA Reg. No. 537-1. Biocerta Corp., New York NY 10016. RATOPAX. Reasons: Lack of product efficacy data; labeling and directions not in compliance with the FIFRA.

EPA Reg. No. 4816-350. FMC Corp., Middletown NY 14105. FLEA & TICK SPRAY FOR DOGS. Reasons: Failure to remove dichlorophene from the product formulation or to submit scientific data to support safety and efficacy for the use of dichlorophene on the skin of animals.

EPA Reg. No. 9177-1. Buckeye Pest Control, Sylvania OH 43560. RITENOW INSECT DESTROYER. Reasons: Failure to submit required product formulation information; failure to submit corrected/finished labeling.

EPA Reg. No. 327-16. Texas Phenothiazine Co., Ft. Worth TX 76106. DR. ROGERS FORMULA NO. 1029 (for Control of "Spinnose" of "Upland" Ear Tick). Reason: Lack of a tolerance to cover use of pyridine or dibutyl phthalate on beef cattle or milk.

The registrants have not submitted the material necessary for continued registration as specified and therefore have not fully complied with the provisions of the FIFRA.

Cancellation of these registrations shall be effective at the end of 30 days from the receipt of notice by the registrant or publication of this notice in the FEDERAL REGISTER, whichever occurs later, unless the registrant makes the necessary corrections, if possible. Within this period of time, any person adversely affected by this notice may request a hearing as provided in section 6(b) of the FIFRA, and should file in accordance with the provisions of §§ 164.5 and 164.20 of Part 164, Title 40 CFR, of the regulations for the enforcement of the FIFRA, an original and two copies of the document stating his objections to the Administrator's intent to cancel these registrations. The request for hearings and such documents should be filed with the Hearing Clerk, Environmental Protection Agency, Room 1019 East Tower, 401 M Street SW., Washington, D.C. 20460.

Dated: September 4, 1974.

JAMES L. AGEE,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.74-20866 Filed 9-9-74; 8:45 am]

[FRL 262-3]

HAWAII; CONTROL OF DISCHARGES OF POLLUTANTS TO NAVIGABLE WATERS

Public Hearing and Request for State Program Approval

The State of Hawaii has submitted a request for approval of its program to control discharges of pollutants to navigable waters under section 402 of the Federal Water Pollution Control Act Amendments of 1972 (the Act), 33 U.S.C.A. section 1342(b).

A public hearing to consider this request will be held on October 10, 1974, at the Legislative Auditorium, Chamber Level, State Capitol Building, Beretani and Richards Streets, Honolulu, Hawaii. The hearing will start at 1:30 p.m. and will reconvene at 7 p.m.

The hearing panel will consist of the Environmental Protection Agency Administrator, who will serve as the Presiding Officer, the Director of the Hawaii State Department of Health, the Environmental Protection Agency Regional Administrator, Region IX, and the representatives of these persons.

Section 402(b) of the Act provides that the Governor of a State desiring to administer the National Pollutant Discharge Elimination System (NPDES) permit program to control discharges

into navigable waters within its jurisdiction may submit to the Administrator of the United States Environmental Protection Agency (EPA) a full and complete description of the program the State intends to administer, including a statement from the State's Attorney General that its laws provide adequate authority to carry out the program described. The Administrator is required to approve each such submitted program unless it does not meet the requirements of section 402(b) and EPA's guidelines. To administer the NPDES program the State must have the authority, among others, to: (1) Issue permits which comply with all pertinent requirements of the Act, (2) abate violations of permits or the permit program including civil and criminal penalties, and (3) ensure that the Administrator, the public, and any affected States and agencies are given notice of and opportunity for a public hearing with regard to each permit application. The State must also have and commit itself to use manpower and resources sufficient to act on all outstanding permit applications in a timely manner and consistent with the periods prescribed by the Act. (EPA's guidelines establishing State Program Elements Necessary for Participation in the NPDES were published in Volume 37 of the FEDERAL REGISTER, December 22, 1972 (40 CFR Part 124) beginning at page 23390.)

The State of Hawaii proposes that the Hawaii State Department of Health, Department of Health Building (Kinau Hale), Punchbowl and Beretania Streets, P.O. Box 3378, Honolulu, Hawaii 96801 (area code 808-548-3077), operate this program for control of discharges into navigable waters of the State in compliance with the Act. The chief officials are Jack Burns, Governor of Hawaii, Dr. Walter B. Quisenberry, Director, Hawaii State Department of Health, and Dr. Henri Minette, Assistant Director, Environmental Protection and Health Services Division of the Hawaii State Department of Health.

This request and program description may be inspected by the public at the offices of the Hawaii State Department of Health at the above address, the Environmental Protection Agency, Pacific Island Basin Office, 1000 Bishop Street, Suite 441, Honolulu, Hawaii 96813 (area code 808-546-8910), or at the United States Environmental Protection Agency, Region IX, 100 California Street, San Francisco, California 94111 (area code 415-395-3150).

All interested persons wishing to comment upon the State's request or its program submission are invited to appear at the public hearing to present their views. Written comments may be presented at the hearing or submitted by October 15, 1974, either in person or by mail to the Environmental Protection Agency, Region IX, at the previously mentioned address.

Oral statements will be received and considered, but for the accuracy of the record, all testimony should be submitted

in writing. Statements should summarize extensive written material so that there will be time for all interested persons to be heard. Persons submitting written statements are encouraged to furnish additional copies for the use of the hearing panel and other interested persons. The Presiding Officer may, at his discretion, exclude oral testimony if it is overly repetitious or irrelevant to the decision to approve or require revision to State program as submitted.

All comments received by October 15, 1974, or presented at the public hearing will be considered by the Environmental Protection Agency in taking final action on Hawaii's request for state program approval.

Please bring the foregoing to the attention of persons whom you know would be interested.

ROBERT V. ZENER,
Acting Assistant Administrator
for Enforcement and General
Counsel.

SEPTEMBER 4, 1974.

[FR Doc.74-20867 Filed 9-9-74; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 74-941]

AMERICAN TELEPHONE AND TELEGRAPH CO. BELL SYSTEM TARIFF OFFERINGS Order Suspending Tariff Provisions

1. On August 1, 1974 AT&T filed tariff revisions to its Wide Area Telecommunications Service, Private Line and Long Distance Telecommunications Service Tariffs FCC Nos. 259, 260 and 263. These revisions, effective August 31, 1974, place conditions on connection of services furnished by the telephone company with communications systems or channels which are connected to or utilize satellite facilities. In addition, each of 19 Bell System Operating Companies filed a new tariff, purportedly effective August 2, 1974; imposing corresponding conditions.

2. Petitions to reject these tariff revisions have been filed by American Satellite Corporation, Western Union Telegraph Company, and RCA Global Communications, Inc. It is claimed, among other things, that the tariff provisions, if permitted to become effective, will result in the termination of existing service to customers of Western Union. It is not possible for the Commission to act upon the merits the petitions to reject prior to the August 31, 1974 effective date of the AT&T tariff revisions.

3. In the circumstances, we will exercise our discretion and suspend the effectiveness of the challenged provisions in the revised tariffs for the three-month period provided for in section 204 of the Act. It may be that the suspension period will be shorter, depending upon the nature of our action on the petitions to reject or the achievement of some other resolution of this matter.

4. Accordingly, It is ordered, pursuant to the provisions of section 4 (i) and (j), 201-205, 214 and 403 of the Communica-

tions Act, that the following tariff provisions are suspended until November 30, 1974 or until further order of the Commission prior to November 30, 1974:

AT&T Tariff FCC No. 259

Section 2.8.4 (E)

Section 2.9.4 (F)

AT&T Tariff FCC No. 260

Section 2.6.3. (A) (9) (a) and (c)

Section 2.6.4 (D) (paragraph 3)

Section 2.6.4 (D) (2) and (3)

Section 2.6.9 (D) (a), (b) (1) (2) and (3), and (c)

Section 2.6.9 (A) (1) (1) and (4)

AT&T Tariff No. 263

Section 2.7.4 (E)

Section 2.8.4 (F) and (G)

19 Bell System Operating Tariffs

Section 2.7.2 (A) and (B) in the tariff of New York Telephone Company and like sections in the tariffs of the other Bell System Operating Companies, and in AT&T Tariff FCC No. 266.

Adopted: August 28, 1974.

Released: August 30, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-20814 Filed 9-9-74; 8:45 am]

[Docket Nos. 20145, 20146; File Nos.
BPH-8500, BPH 8563]

BROOKHAVEN BROADCASTING CO., INC. AND 21ST CENTURY BROADCASTERS, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In the matter of Brookhaven Broadcasting Co., Inc., Brookhaven, Mississippi, requesting 92.1 mHz; channel No. 221; 1.81 kW(H&V); 184 feet, and 21st Century Broadcasters, Inc., Brookhaven, Mississippi, requesting 92.1 mHz; channel No. 221; 3 kW(H&V); 300 feet, for construction permits.

1. The Chief of the Broadcast Bureau, acting pursuant to delegated authority, § 0.281 of the rules, has under consideration the above-captioned applications, which are mutually exclusive in that the applicants seek the same channel in Brookhaven, Mississippi.

2. Data submitted by the applicants indicate that Brookhaven Broadcasting Co., Inc., will encompass an area of 287 square miles with a population of 27,300 in its 1 mV/m contour while 21st Century Broadcasters will cover an area of 638 square miles having a population of 29,966 in its 1 mV/m contour. Thus, there is a significant difference in the size of the areas which would receive service from the proposals. Consequently, for purposes of comparison, the areas and populations which would receive FM service of 1 mV/m or greater intensity, together with the availability of other primary (1 mV/m or better in FM) aural services in such areas will be considered under the standard comparative issue for the purpose of determining whether

¹ Commissioners Lee, Reid, and Washburn absent.

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Dated: August 31, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-20690 Filed 9-9-74; 8:45 am]

[OPP-00004; FRL 263-1]

JUDGMENT UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Availability of Notices of Judgment

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Copies of Notices of Judgment are available to government agencies and to the public from:

U.S. Environmental Protection Agency, Pesticides Enforcement Division (EG-342), 401 M Street SW., Washington, D.C. 20460.

Dated: September 5, 1974.

ALAN G. KIRK II,
Assistant Administrator for
Enforcement and General Counsel.

[FR Doc.74-20862 Filed 9-9-74; 8:45 am]

[OPP-66009; FRL 262-5]

PESTICIDES

Intent To Cancel Certain Registrations

Pursuant to section 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 984), the Environmental Protection Agency (EPA) has notified the following registrants of its intent to cancel the registrations of the pesticide products listed:

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EPA Reg. No. 4816-350. FMC Corp., Middletown NY 14105. FLEA & TICK SPRAY FOR DOGS. Reasons: Failure to remove dichlorophene from the product formulation or to submit scientific data to support safety and efficacy for the use of dichlorophene on the skin of animals.

EPA Reg. No. 9177-1. Buckeye Pest Control, Sylvania OH 43560. RITENOW INSECT DESTROYER. Reasons: Failure to submit required product formulation information; failure to submit corrected/finished labeling.

EPA Reg. No. 327-16. Texas Phenothiazine Co., Ft. Worth TX 76106. DR. ROGERS FORMULA NO. 1029 (for Control of "Spinnose" of "Upand" Ear Tick). Reason: Lack of a tolerance to cover use of pyridine or dibutyl phthalate on beef cattle or milk.

The registrants have not submitted the material necessary for continued registration as specified and therefore have not fully complied with the provisions of the FIFRA.

Cancellation of these registrations shall be effective at the end of 30 days from the receipt of notice by the registrant or publication of this notice in the FEDERAL REGISTER, whichever occurs later, unless the registrant makes the necessary corrections, if possible. Within this period of time, any person adversely affected by this notice may request a hearing as provided in section 6(b) of the FIFRA, and should file in accordance with the provisions of §§ 164.5 and 164.20 of Part 164, Title 40 CFR, of the regulations for the enforcement of the FIFRA, an original and two copies of the document stating his objections to the Administrator's intent to cancel these registrations. The request for hearings and such documents should be filed with the Hearing Clerk, Environmental Protection Agency, Room 1019 East Tower, 401 M Street SW., Washington, D.C. 20460.

Dated: September 4, 1974.

JAMES L. AGE, Jr.,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.74-20866 Filed 9-9-74; 8:45 am]

[FRL 262-3]

HAWAII; CONTROL OF DISCHARGES OF POLLUTANTS TO NAVIGABLE WATERS

Public Hearing and Request for State Program Approval

The State of Hawaii has submitted a request for approval of its program to control discharges of pollutants to navigable waters under section 402 of the Federal Water Pollution Control Act Amendments of 1972 (the Act), 33 U.S.C.A. section 1342(b).

A public hearing to consider this request will be held on October 10, 1974, at the Legislative Auditorium, Chamber Level, State Capitol Building, Beretani and Richards Streets, Honolulu, Hawaii. The hearing will start at 1:30 p.m. and will reconvene at 7 p.m.

The hearing panel will consist of the Environmental Protection Agency Administrator, who will serve as the Presiding Officer, the Director of the Hawaii State Department of Health, and the Environmental Protection Agency Regional Administrator, Region IX, or the representatives of these persons.

Section 402(b) of the Act provides that the Governor of a State desiring to administer the National Pollutant Discharge Elimination System (NPDES) permit program to control discharges

into navigable waters within its jurisdiction may submit to the Administrator of the United States Environmental Protection Agency (EPA) a full and complete description of the program the State intends to administer, including a statement from the State's Attorney General that its laws provide adequate authority to carry out the program described. The Administrator is required to approve each such submitted program unless it does not meet the requirements of section 402(b) and EPA's guidelines. To administer the NPDES program the State must have the authority, among others, to: (1) Issue permits which comply with all pertinent requirements of the Act, (2) abate violations of permits or the permit program including civil and criminal penalties, and (3) ensure that the Administrator, the public, and any affected States and agencies are given notice of and opportunity for a public hearing with regard to each permit application. The State must also have and commit itself to use manpower and resources sufficient to act on all outstanding permit applications in a timely manner and consistent with the periods prescribed by the Act. (EPA's guidelines establishing State Program Elements Necessary for Participation in the NPDES were published in Volume 37 of the FEDERAL REGISTER, December 22, 1972 (40 CFR Part 124) beginning at page 28390.)

The State of Hawaii proposes that the Hawaii State Department of Health, Department of Health Building (Kinau Hale), Punchbowl and Beretania Streets, P.O. Box 3378, Honolulu, Hawaii 96801 (area code 808-548-3077), operate this program for control of discharges into navigable waters of the State in compliance with the Act. The chief officials are Jack Burns, Governor of Hawaii, Dr. Walter B. Quisenberry, Director, Hawaii State Department of Health, and Dr. Henri Minette, Assistant Director, Environmental Protection and Health Services Division of the Hawaii State Department of Health.

This request and program description may be inspected by the public at the offices of the Hawaii State Department of Health at the above address, the Environmental Protection Agency, Pacific Island Basins Office, 1000 Bishop Street, Suite 601, Honolulu, Hawaii 96813 (area code 808-546-8910), or at the United States Environmental Protection Agency, Region IX, 100 California Street, San Francisco, California 94111 (area code 415-556-3450).

All interested persons wishing to comment upon the State's request or its program submission are invited to appear at the public hearing to present their views. Written comments may be presented at the hearing or submitted by October 15, 1974, either in person or by mail, to the Environmental Protection Agency, Region IX, at the previously mentioned address.

Oral statements will be received and considered, but for the accuracy of the record, all testimony should be submitted

in writing. Statements should summarize extensive written material so that there will be time for all interested persons to be heard. Persons submitting written statements are encouraged to furnish additional copies for the use of the hearing panel and other interested persons. The Presiding Officer may, at his discretion, exclude oral testimony if it is overly repetitious or irrelevant to the decision to approve or require revision to State program as submitted.

All comments received by October 15, 1974, or presented at the public hearing will be considered by the Environmental Protection Agency in taking final action on Hawaii's request for state program approval.

Please bring the foregoing to the attention of persons whom you know would be interested.

ROBERT V. ZENER,
Acting Assistant Administrator
for Enforcement and General
Counsel.

SEPTEMBER 4, 1974.

[FR Doc.74-20867 Filed 9-9-74; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 74-941]

AMERICAN TELEPHONE AND TELEGRAPH CO. BELL SYSTEM TARIFF OFFERINGS Order Suspending Tariff Provisions

1. On August 1, 1974 AT&T filed tariff revisions to its Wide Area Telecommunications Service, Private Line and Long Distance Telecommunications Service Tariffs FCC Nos. 259, 260 and 263. These revisions, effective August 31, 1974, place conditions on connection of services furnished by the telephone company with communications systems or channels which are connected to or utilize satellite facilities. In addition, each of 19 Bell System Operating Companies filed a new tariff, purportedly effective August 2, 1974, imposing corresponding conditions.

2. Petitions to reject these tariff revisions have been filed by American Satellite Corporation, Western Union Telegraph Company, and RCA Global Communications, Inc. It is claimed, among other things, that the tariff provisions, if permitted to become effective, will result in the termination of existing service to customers of Western Union. It is not possible for the Commission to act upon the merits of the petitions to reject prior to the August 31, 1974 effective date of the AT&T tariff revisions.

3. In the circumstances, we will exercise our discretion and suspend the effectiveness of the challenged provisions in the revised tariffs for the three-month period provided for in section 204 of the Act. It may be that the suspension period will be shorter, depending upon the nature of our action on the petitions to reject or the achievement of some other resolution of this matter.

4. Accordingly, It is ordered, pursuant to the provisions of section 4 (i) and (j), 201-205, 214 and 403 of the Communica-

tions Act, that the following tariff provisions are suspended until November 30, 1974 or until further order of the Commission prior to November 30, 1974:

AT&T Tariff FCC No. 259

Section 2.3.4. (E)

Section 2.9.4 (F)

AT&T Tariff FCC No. 260

Section 2.6.3. (A) (9) (a) and (c)

Section 2.6.4 (D) (paragraph 3)

Section 2.6.4 (D) (2) and (3)

Section 2.6.9 (D) (a), (b) (1) (2) and (3), and (c)

Section 2.6.9 (A) (i) (1) and (4)

AT&T Tariff No. 263

Section 2.7.4 (E)

Section 2.8.4 (F) and (G)

19 Bell System Operating Tariffs

Section 2.7.2 (A) and (B) in the tariff of New York Telephone Company and like sections in the tariffs of the other Bell System Operating Companies, and in AT&T Tariff FCC No. 266.

Adopted: August 28, 1974.

Released: August 30, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-20814 Filed 9-9-74; 8:45 am]

[Docket Nos. 20145, 20146; File Nos.
BPH-8500, BPH 8563]

BROOKHAVEN BROADCASTING CO., INC. AND 21ST CENTURY BROADCASTERS, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In the matter of Brookhaven Broadcasting Co., Inc., Brookhaven, Mississippi, requesting 92.1 mHz; channel No. 221; 1.81 kW(H&V); 184 feet, and 21st Century Broadcasters, Inc., Brookhaven, Mississippi, requesting 92.1 mHz; channel No. 221; 3 kW(H&V); 300 feet, for construction permits.

1. The Chief of the Broadcast Bureau, acting pursuant to delegated authority, § 0.281 of the rules, has under consideration the above-captioned applications, which are mutually exclusive in that the applicants seek the same channel in Brookhaven, Mississippi.

2. Data submitted by the applicants indicate that Brookhaven Broadcasting Co., Inc., will encompass an area of 287 square miles with a population of 27,300 in its 1 mV/m contour while 21st Century Broadcasters will cover an area of 638 square miles having a population of 29,966 in its 1 mV/m contour. Thus, there is a significant difference in the size of the areas which would receive service from the proposals. Consequently, for purposes of comparison, the areas and populations which would receive FM service of 1 mV/m or greater intensity, together with the availability of other primary (1 mV/m or better in FM) aural services in such areas will be considered under the standard comparative issue for the purpose of determining whether

¹ Commissioners Lee, Reid, and Washburn absent.